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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/977,701 | 10/16/2001 | Nobuhiro Ikeda | 35.C15877 | 3756 |

5514 7590 08/03/2007
FITZPATRICK CELLA HARPER & SCINTO
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NEW YORK, NY 10112

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| EXAMINER |
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SWERDLOW, DANIEL

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| ART UNIT | PAPER NUMBER |
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2615

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| MAIL DATE | DELIVERY MODE |
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08/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/977,701

Applicant(s)

IKEDA, NOBUHIRO

Examiner

Daniel Swerdlow

Art Unit

2615

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 July 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: applicant's arguments are not persuasive. See attachment.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

Response to Arguments

1. Applicant's arguments filed 30 July 2007 have been fully considered but they are not persuasive.
2. On page 8 of the response filed on 30 July 2007, applicant alleges that US Patent 6,424,660 to Jacobson, Jr. fails to disclose or suggest "a management device receiving first and second data from a management center that manages a communication control device, and registering, in a memory, the first data for identifying the management device, and the second data for identifying the communication control device" as claimed in independent claims 1 and 16. Examiner respectfully disagrees. As stated in the prior art rejections made in the previous Office action, mailed on 31 May 2007, Jacobson discloses a reception device (Fig. 1, reference 110, 112, 114, 116, 118; Fig. 2, reference 200) and system controller arrangement (Fig. 1, reference 120; Fig. 3, reference 300) that corresponds to the management device claimed, connects wireless interfaces that correspond to the communications control device claimed with a remote control device (220) that corresponds to the management center claimed and comprises: receiver identifier storage (Fig. 2, reference 206) that corresponds to the memory means claimed and stores a receiver identifier that identifies the reception device and corresponds to the first identification data claimed; and a target address (column 3, lines 18-22) that corresponds to the second identification data claimed and identifies the target component wireless interfaces that correspond to the communications control device claimed (column 5, lines 20-24, 31-36).
3. On page 9 of the response, applicant alleges that Jacobson fails to disclose "a target address (column 3, lines 18-22) that corresponds to the second identification data claimed and identifies the target component wireless interfaces that correspond to the communications control

device claimed” because Jacobson discloses “reception device 200 is the target of the request rather than another component (such as a television or audio/video receiver)”. Examiner disagrees with this characterization of the disclosure. Jacobson discloses, “individual components in individual rooms are coupled to transmit logic 306 via communication line 124 of FIG. 1. Each of the components is individually addressable, thereby allowing system controller 300 to identify particular ones of these components” (column 5, lines 20-24). As such, the target address must eventually be translated into a form that uniquely identifies the control interface of an individual component. Since translation of an identifier into a unique address requires that the identifier uniquely define the address, the target address in Jacobson identifies the target component and, as such, corresponds to the second identification data claimed.



Daniel Swerdlow
Primary Examiner
Art Unit 2615

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2 August 2007